

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ROBERT S. CASSIZZI, et al.,

Plaintiffs,

- v -

WEST 37th STREET GROUP LLC, et al.,

Defendants.
-----X

MEMORANDUM

CV-06-2584 (CPS)(VVP)

By letter dated February 19, 2007, and filed via ECF on February 26, 2007, the defendant/third-party plaintiffs GJF Construction Corp., Builders Group, LLC and Builders Group (Park Row), Inc. have lodged objections to document requests served by the plaintiff and by defendant Atlantic Crane. It is not clear why they have filed such a letter, as no request for judicial intervention is made. To the extent that it is intended to be a written response to the document requests, as required by Rule 34(b) of the Federal Rules of Civil Procedure, it should have been served on the parties, not filed with the court. *See* Local Civil Rule 5.1(a) (discovery requests and responses shall not be filed with the court). To the extent that it is meant to serve as a motion for a protective order, it does not appear that the defendant/third-party plaintiffs have as yet attempted to resolve their disputes with their adversaries by telephone or in person as required by Local Civil Rule 37.3(a). Accordingly, the court will take no action concerning the matters raised in the letter. Future letters to the court should indicate clearly what relief is being sought, and should not be submitted until the parties have complied with their obligations under the local civil rules.

SO ORDERED:

Viktor V. Pohorelsky
VIKTOR V. POHORELSKY
United States Magistrate Judge

Dated: Brooklyn, New York
February 27, 2007